



City of Seattle

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Greg Nickels, Mayor  
**Department of Planning and Development**  
D. M. Sugimura, Director

**CITY OF SEATTLE  
ANALYSIS AND DECISION OF THE DIRECTOR  
OF THE DEPARTMENT OF PLANNING AND DEVELOPMENT**

**Application Number:** 3010068  
**Applicant Name:** Russell Preston for Regal Cinemas  
**Address of Proposal:** 301 Northeast 103<sup>rd</sup> Street

**SUMMARY OF PROPOSED ACTION**

Land Use Application to allow a projecting sign with a 479 sq. ft. sign face mounted a maximum of 84' above grade in a commercial zone.

The following approval is required:

**Special Exception** –to allow a projecting sign with a 479 sq. ft. sign face mounted a maximum of 84' above grade in a commercial zone.  
Seattle Municipal Code (SMC) Section 23.55.040.

**SEPA DETERMINATION:** ☒ Exempt ☐ DNS ☐ MDNS ☐ EIS

☐ DNS with conditions

☐ DNS involving non-exempt grading, or demolition, or  
involving another agency with jurisdiction.

**BACKGROUND DATA**

**Site and Vicinity Description**

The proposal site is located at the northwest corner of the intersection of 3<sup>rd</sup> Avenue Northeast and Northeast 103<sup>rd</sup> Street in the Northgate area, south of Northgate Mall. The site includes several three to six-story mixed-use, commercial, and residential buildings, reviewed with Master Use Permit #2401519.

The proposed sign would be located at the northwest corner of the building at the intersection of 3<sup>rd</sup> Ave NE & NE 103<sup>rd</sup> St in a structure that will include Regal Cinemas Movie Theater. The proposal site is zoned NC3-125 (Neighborhood Commercial with a 125' height limit). This zoning continues to the west and south. NC3-85 zoning is located to the north, and NC3-65 zoning is located to the east of the site. Development in the vicinity consists of commercial and residential uses.

### Proposal Description

The proponent proposes to install a projecting sign near on the building near the intersection of NE 103<sup>rd</sup> St and 3<sup>rd</sup> Ave NE. The sign would face 3<sup>rd</sup> Ave NE on the west façade of the building. The proposed sign is an irregular shape that measures 9 feet at the widest point and 64 feet in height. Because of the irregular shape, the sign face measures 479 square feet in size.

The sign would be mounted on the façade of the building so that the highest point of the sign would be located 84' above finished grade.

The proposed sign would be located in the public right of way for 3<sup>rd</sup> Avenue NE. SMC 23.55.004 regulates signs in the public right of way, in addition to the Street Use Ordinance. The proposed sign is 20 feet above grade and 23 feet from the curb line to the edge of the sign, which meets the requirements of SMC 23.55.004.

SMC 23.55.030 regulates signs in NC3 zones. The proposed sign is an internally illuminated projecting sign. The site has more than 300 linear feet of street frontage. The proposed sign face is more than the maximum outright permitted 300 square feet, which makes the proposed Special Exception review necessary. The maximum height of the sign when mounted on the building is more than the maximum outright permitted height of 65 feet, which makes the proposed Special Exception review necessary.

### Public Comment

Notice of the application was issued on March 9<sup>th</sup>, 2009. Two written comments were submitted, one of which included a postal mailing address. One comment noted concerns that the proposed sign doesn't meet Seattle Municipal Code requirements without the special exception approval. The other comment included questions about whether the sign would be visible from adjacent neighborhoods to the east.

### **ANALYSIS – SPECIAL EXCEPTION**

Pursuant to the requirements of SMC Section 23.55.040, the Director may authorize exceptions to the size, number, height, and depth of projection of on-premises signs. In order for the Director to approve a special exception the proposed project must meet one codified condition and must exhibit at least one codified desired characteristic.

### Special Exception Criteria

Conditions and desired characteristics are codified in SMC Sections 23.55.040.A and 23.55.040.B, respectively. The response to conditions and characteristics are summarized below. Codified conditions and characteristics are italicized.

#### A. *Conditions.*

- 1. The proposed sign plan shows an exceptional effort toward creating visual harmony among signs, desirable streetscape features, building facades and other architectural elements of the building structure through the use of a consistent design theme;*

The proposed signage was included in the design review drawings with MUP #2401519. The applicant has stated that the proposed signage will allow the building to serve as an architectural landmark within the Thornton Place development and provide visual interest within the streetscape.

The cinema will also include a wall sign near the entrance at NE 103rd St (reviewed under #6205664). The proposed signage will be coordinated with the wall sign on the north façade. The overall signage plan will coordinate with architectural elements of the building structure to create a consistent design theme. .

#### B. *Desired Characteristics. All the following desired characteristics shall be used to evaluate applications for a special exception, and at least one (1) must be met. The proposed sign(s):*

- 1. Unifies the project as a whole or contributes positively to a comprehensive building and tenant signage plan;*

The proposed sign is consistent with the tenant signage plan.

- 2. Is compatible with the building facade and scale of building in terms of size, height and location;*

The proposed sign measures 9 feet at the widest point and 64 feet in height. The bottom of the sign is approximately 20' above the sidewalk. The existing building is approximately 91 feet tall and occupies approximately 200 feet of lineal street frontage on both NE 103<sup>rd</sup> St and 3<sup>rd</sup> Ave NE. The street level includes transparency and the upper floors are a mix of materials and colors, but with no transparency due to the movie theater use. The proposed design of the sign is compatible with the building façade in terms of size, height, and location.

- 3. Adds interest to the street level environment, while also identifying upper level businesses;*

The proposed sign would add street level interest with the color and design scheme and contribute to the 3<sup>rd</sup> Ave NE streetscape. The movie theater occupies some street level and all upper level areas of the building. The proposed sign would help to identify the movie theater use in the building.

- 4. Helps orient pedestrians and motorists at street-level in the vicinity of the subject building;*

The sign would be visible from 3<sup>rd</sup> Ave NE and will help to orient pedestrians and motorists in the vicinity of the subject building.

The Design Review Board reviewed the proposed sign location with MUP #2401519 and noted, "The most prominent signage for the theater is located at the intersection of 3<sup>rd</sup> Avenue NE and NE 103<sup>rd</sup> Street, although no direct pedestrian access to the theater is available from this corner. The Board expressed concern that the existing "diagram" of the theater access and signage is flawed; it should be improved by either providing pedestrian access at the corner or by moving signs to the access points along 3<sup>rd</sup> Avenue NE and NE 103<sup>rd</sup> Street."

The applicant has proposed wall signage at the movie theater entry on NE 103<sup>rd</sup> St to address this issue (reviewed under #6205664). The proposed projecting sign at 3<sup>rd</sup> Ave NE will help to orient vehicles and pedestrians to the theater location within the larger Thornton Place site.

*5. Integrates support fixtures, conduits, wiring, switches and other mounting apparatus into the building architecture to the extent feasible.*

The projected sign is an internally illuminated box signs mounted with brackets into the upper parking garage levels. The electrical wiring to illuminate the signage would be located within the support structure for the sign, and connected to the electrical system of the building, not visible from the street level.

#### **DECISION – SPECIAL EXCEPTION**

Approved.

#### **CONDITIONS**

None.

Signature: \_\_\_\_\_ (signature on file) Date: April 9, 2009  
Shelley Bolser AICP, Senior Land Use Planner  
Department of Planning and Development

SB:bg

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